

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2267 - SB 2325

February 23, 2022

SUMMARY OF BILL: Removes auctioneers licensed in Tennessee from the definition of “marketplace facilitator” for the purposes of paying sales and use tax.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Currently, if an auctioneer auctions tangible personal property (TPP) to a “disclosed principal,” the owner of the TPP will collect sales tax or the buyer of the TPP will pay a use tax on the transaction. If the TPP is auctioned to an “undisclosed principal,” the auctioneer is responsible for collecting the sales tax.
- The proposed legislation removes auctioneers from the requirement of collecting and remitting the sales tax.
- Based on information provided by the Department of Revenue, the amount that would no longer be remitted to the state as a result of the proposed legislation is negligible; therefore, any fiscal impact to state or local government is estimated to be not significant.

IMPACT TO COMMERCE:

NOT SIGNIFICANT

Assumption:

- Based on information provided by the Department of Revenue, the amount that would no longer be remitted to the state as a result of the proposed legislation is negligible; therefore, any impact to jobs or commerce in this state is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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